



Online citation: Díaz, Jr., Jesse. 2011. "Immigration Policy, Criminalization and the Growth of the Immigration Industrial Complex: Restriction, Expulsion, and Eradication of Undocumented in the U.S." *Western Criminology Review* 12(2):35-54. (<http://wcr.sonoma.edu/v12n2/Diaz.pdf>).

Immigration Policy, Criminalization and the Growth of the Immigration Industrial Complex: Restriction, Expulsion, and Eradication of the Undocumented in the U.S. ¹

Jesse Díaz, Jr.

University of California, Riverside

Abstract: *The stereotype of immigrants as a "criminal threat" has armed anti-immigrant sentiment and policy despite social scientists having consistently demonstrated that immigrants are less likely to engage in crime than are their U.S.-born counterparts. This paper critically examines the link between immigrants and crime, paying special attention to two periods of high immigration to the U.S. During the 19th century through the early 20th century, mostly ethnic white European and Asia immigrants were victims of interethnic and racial violence, culminating in policies that restricted Asians, and prompted mass expulsions of mostly Mexicanos. By the late 20th century and into the 21st century, Latinos and Asians entered en masse. The ensuing anti-immigrant sentiment and policies that sought to disenfranchise these groups, coupled with the rhetoric that evolved from "alien" to "criminal alien," have progressively served to justify the expansion of enforcement-only policies that include workplace and home sweeps, deportation, and increasingly, detention. Arguably, these forms of policing, along with contemporary immigration policies, have given rise to, and fueled, the Immigration Industrial Complex—an industry based on immigrant detainees and supported by Congressional powers. I argue that, like the rise of the Prison Industrial Complex, that along with the "war on drugs" sought to eradicate the potential political threat of post-civil rights era young black males, the Immigration Industrial Complex is a system that is being used to eradicate Latino immigrants from society; to stifle their potential social advancement stemming from the Browning of America, an imminent and perilous demographic, political, and economic threat to the degenerating white hegemonic order.*

Keywords: browning of America; expulsion; eradication; hegemony; immigration and crime; immigration industrial complex; immigration policy; prison industrial complex

INTRODUCTION

In this paper, I argue that racialized stereotypes of immigrants as "criminal threats" have strengthened anti-immigrant sentiment and have provided rhetorical support for policies that criminalize immigrants. These stereotypes have endured despite social scientific research demonstrating that immigrants are less likely to engage in crime than are their US-born counterparts.

Although the US prides itself as a "nation of immigrants," immigrants have historically been viewed by a sector of the public as "our oldest national problem" (Stockwell 1927), a situation which has recently prompted

a rise in hate crimes against Latino immigrants, thereby justifying their disenfranchisement from fully engaging in the U.S. political landscape. Data documenting this rise in hate crimes are found in a variety of sources, most notably the Federal Bureau of Investigation's (FBI) annual Hate Crime Statistics, and in information compiled and analyzed by the Southern Poverty Law Center (SPLC).

Federal Bureau of Investigation data disclosed that in the mid- to late-1990s, ethnicity-based hate crimes against Latinos ranged from an average of 719 a year in the five years between 2005-2009, compared with an average of 646 a year in the five-year period 2000-2004, and an average of 639 a year in the five-year period 1995-1999. This represents a 12.5% increase in the most recent period

compared to the earliest period for which data is available and an 11.3% increase during 2000-2004 (FBI 2010). During these same periods the annual average number of anti-immigration hate groups identified by the SPLC increased from 0 in 1995-1999, to 3.6 in 2000-2004, and 11.4 in 2005-2006, most of these being in the West, Mid-West and Plains states (SPLC 2010).

In this paper, I also examine the link between immigrants and crime, while paying keen attention to two periods of high immigration to the U.S. The first period commences in the early 19th century into the early 20th century, and a second contemporary period covers mostly Asian and Latin American immigration concentrated in the latter part of the 20th century to the present. I argue that from the beginning of the 19th century, racially motivated stereotypes employed by the dominant class and law enforcement agencies have served to justify and reinforce associations made between people of color and crime that have fueled the implementation of restrictive and exclusionary immigration policies that have maintained immigrants in a marginalized status. These mechanisms differ for each period of high immigration and are explored as they pertain to both periods.

Both periods show that white Northern and Western European immigrants neither experienced the levels of violence toward them, nor experienced the levels and/or types of expulsion that have been experienced by immigrants of color. White European immigrants have climbed to the top demographically, economically, and politically; as such, this analysis considers the role that U.S. immigration policies have played in maintaining white dominance over immigrants of color, especially over undocumented immigrants.

I argue that during the periods examined in this paper these policy mechanisms have become more punitive, now concentrating on criminalizing recent immigrants, based on the immigration-crime stereotype, despite ample evidence that no significant links exist between immigrants and crime. I show that despite the need for their labor, and the existence of immigration policies that ensure their authorized passage to work permissibly in the U.S., there has been a rise in (1) anti-immigrant federal labor policies such as E-Verify, No Match Letters, and (2) statewide laws that aim to felonize some undocumented immigrant workers in some states. In short, immigrants have increasingly become targets of racist policies aimed at criminalizing them and which, therefore, make them vulnerable for deportation.

There has also developed a contemporary policy shift to detain and purge society of mostly immigrants of color by methods of social engineering which—like the Prison Industrial Complex—is manifest in the rise of a privately-owned “for profit” Immigration Industrial Complex that ultimately serves as a mechanism to institutionalize the criminalization of immigrants, by detention. As Koulish (2007) stated, “the immigration industrial complex”

involves “privatizing decades of border militarization and low intensity conflict. . .[and] is part of a post-9/11 neo-liberal regime that is designed to re-territorialize and privatize the war on terror on the domestic front. . .[that] figures prominently in . . . neo-liberal shock therapy.”

To fuel this industry, however, there have been successions of anti-immigrant policies that have made vulnerable both unauthorized and authorized immigrants. These policies reflect an anti-immigrant sentiment steeped in the public psyche conveyed to it by hate media, and by the concerted efforts of hate groups who stop immigrants crossing the México-US border and harass them in the interior of the US (see for example, SPLC 2009). Taken together, I will argue that these anti-immigrant activities have been undertaken to maintain, but mainly to protect, the white European hegemonic order.

In the first section of this paper, I briefly examine early trends of immigration to the U.S., which clearly exhibit that ethnic immigrants from Northern Europe created a white-dominated, racial hegemonic order in the U.S. I follow this analysis with a discussion of the early research on crime that clearly dismissed the notion that immigrants were engaging in higher rates of crime than were their U.S.-born counterparts.

EARLY IMMIGRATION: IMMIGRATION AND CRIME RESEARCH

The first period of heightened immigration to the U.S. examined in this paper spans nearly a century and comprises two distinct waves. In the first wave between 1819 and 1882, 10 million immigrants from Northern and Western Europe, along with an estimated 300,000 black slaves settled in the U.S. The second wave of immigration to the U.S. was dominated by Southern and Eastern Europeans; between 1882 and 1921, an estimated 20 million plus new inhabitants settled. Once the “new immigrants” from Southern and Eastern Europe arrived, bringing with them new customs and traits, the “old immigrants” from Northern and Western Europe began considering the social impact of immigration (Kelsey 1926).

“Native-born” white policymakers commonly accused recent immigrants of color of bringing the criminalities of their mother countries to the U.S. Ethnic and racist stereotypes of Southern and Eastern Europeans, commonly viewed as “nonwhite,” were implicitly and/or explicitly invoked in such charges (Cordasco 1973). In order to keep recent immigrants “in their place,” Western and Northern Europeans discriminated against other European immigrants and oftentimes engaged in violence against them (Yans-McLaughlin 1990). This *nativism* also led to enacting restrictive policies against various groups of immigrants of color, culminating in federal policies that virtually blocked their presence in the U.S. once they had

been used for their labor. Examples include the Chinese after having laid the railroads, the Filipinos and Japanese after having tilled the fields alongside *Mexicanos*, and policies against Southern and Eastern European immigrant workers after they had saturated the textile industry in the Northeast.

Following this anti-immigrant sentiment and practice, early studies characterized most immigrants as criminals, but these works were often false or misleading (McKee 1993). According to McKee, the racist Eugenics Movement provided “scientific” backing to public opinion by purporting the “biological inferiority” of non-Anglo Saxons and underscored the imported “evils” of newer ethnic groups (McKee 1993). However, the social science community discredited this pseudo science because of its lack of empirical evidence and methodological rigor (Hagan and Palloni 1998; Martinez 2000; Sellin 1938). Despite this, the idea’s popularity prevailed amongst certain individuals, and politicians that continued to impose anti-immigrant legislation through the mid-20th century.

A flurry of reports at the turn of the century undermined the ethnocentric underpinnings of the Anglo Saxon outlook toward the “crime-prone” foreign-born. For example, Hart (1896) denounced an earlier study that quantitatively linked foreign birth with criminality. Hart compared the foreign born to a combined sample of the native-born, their children, and the children of immigrants, and found that of “ten thousand white persons born in this country, a little less than nine” were incarcerated, while of those “born in foreign countries, nearly twice as many were convicts” (1896:396). Using the same data, but dividing the sample by generation and nativity, Hart also found that in the US, the foreign-born group accounted only for a fraction of the total crimes committed by their U.S.-born counterparts.

According to Colburn and Pozzetta (1974), in 1908, New York Police Commissioner, Theodore Bingham, wrote the most damaging and widely cited article in North America, titled “Foreign Criminals of New York.” Bingham wrote,

[immigration] brings among us the predatory criminals of all nations, as well as the feuds of the Armenian Hunchakist, the Neapolitan Camorra, the Sicilian Mafia, the Chinese Tongs, and other quarrels of the scum of the earth. Our streets are overrun with foreign prostitutes...and foreign anarchists openly advocate murder and arson in our slums. (Colburn and Pozzetta 1974:599)

Bingham’s remedy was to establish a secret police force that would hunt down, arrest and deport foreign-born criminals.

In direct contradiction to Bingham’s assertion, in 1901, a federally appointed body, the Immigration

Commission, issued a “Special Report on General Statistics of Immigration and the Foreign-Born.” It reported that foreign-born whites were less oriented toward crime than were U.S.-born whites. In 1911, the Immigration Commission stated that not enough satisfactory evidence had yet been found to show that migration has resulted in increases of crime (Horowitz 2001). As late as 1931, during the Hoover era, another federal entity, the National Commission on Law Observance and Enforcement, analyzed data on crime and arrest statistics from fifty-two cities, resulting in yet another report that undermined the popular belief that a high percentage of crime could be ascribed to immigrant “aliens” (Bowler 1931).

Even studies focused on the latter part of the 19th century, corroborated the claims that immigrants and crime were not linked. Hourwich (1912) found that from 1850 to 1860, the foreign-born population in New York increased relative to the total population, but the annual average number of convictions during this period fell below the average for the preceding decade. In the same vein, Kelsey (1926) found that from 1880 to 1890 as the foreign-born population went up, the rate of criminality went down.

To be clear, certain white ethnic communities did include a certain criminal element (Thomas and Znaniecki 1920). Consequently, research turned from discrediting the notion that immigrants were generally more prone than are native-born individuals to be engaged in crime, to why those that did engage in crime, did so. Early studies then focused on the limited opportunity structures that immigrants faced when they arrived, to dilapidated and disorganized neighborhoods in the U.S., particularly in cities like Chicago (Park, Burgess, McKenzie and Roderick 1925; Park and Miller 1923; Shaw and McKay 1942; Taylor 1931). To overcome the disadvantages afforded by their new neighborhoods, immigrants oftentimes took advantage of illegitimate opportunities (Merton 1938) by sometimes joining gangs usually comprised of second-generation youth (Ross 1937) or ascending into organized crime (Whyte 1943). Like most immigrants today, however, it is highly probable that the majority were law-abiding, hardworking, and wanted little to no contact with authorities.

Indeed, studies showed that crimes committed by immigrants were perpetrated generally within the immigrant community; that is, certain members of white ethnic groups preyed upon other white ethnic groups. Horowitz (2001) suggested that prior to the 1920s Jewish gangsters in New York recurrently terrorized strikers into returning to work, as well as picked pockets on crowded city streets. Italians, on the other hand, ran extortion rings in San Francisco and prostitution rings in Chicago. Furthermore, small grocery owners in these neighborhoods combined the legitimate and illegitimate by lending themselves to the loan sharking business, preying on the

incapability of newly arrived immigrant laborers to obtain credit through formal means. The economic and structural milieu of the enclaves of ethnic groups of color also lent themselves to the formation of petty and organized crime including the Japanese Yakuza, Chinese Triads, and the ability of Latin American drug cartels to establish control over the distribution of drugs (Lyman and Potter 2004).

Kenny and Finckenauer (1995) drew from Merton's strain theory claim that the "American Dream" stresses the goals of wealth accumulation, success, and power by means of hard work, education, and thrift. They argued that when acceptable means of obtaining "success" failed to materialize, individuals might employ illegitimate means to reach "success" or reject socially accepted goals and supplant them with alternative goals. Yet, they also contend that unlike in the U.S., organized crime was not entirely crime-driven, rather it was tied integrally to the political and economic systems in the home countries of some of these groups.

Responding to the idea of an *alien conspiracy*, whereby ethnic immigrants bring with them their "cultural and criminal evils," Kenney and Finckenauer (1995) showed that long before these waves of immigrants arrived, organized crime was well established amongst white ethnic immigrants and their successive generations in New York City, and other regions of the country. Yet, the consistent "fear" of the immigrant as criminals continued until restrictive immigration policies were initiated that included legal expulsion, and in many cases immigrants of color were not expelled from regions with legal authority, but rather forcefully by the hands of white immigrants.

EARLY IMMIGRANTS: OVERT DISCRIMINATION, VIOLENCE, AND EXPULSION

Marginalized white ethnic groups of various backgrounds experienced extreme discrimination manifested through mob violence by the dominant Anglo Saxon. For example, in 1874 Italians were killed in Western Pennsylvania's coalmines, lynched in 1891 in West Virginia and New Orleans and in 1895 in Southern Colorado. Slavic coal miners in Southern Pennsylvania were shot and killed in 1886 and 1897. However, these white ethnic immigrants experienced neither the sustained levels of violence, nor the expulsion that immigrants of color were subjected to during these epochs.

For example, Asian immigrants were not only discriminated against and violently attacked, but also were expelled from various regions in the U.S. (Yans-McLaughlin 1990; Sanmeyer 1991). From the 1850s through 1870s, Chinese gold miners were repeatedly harassed and killed in mining regions and in the 1880s, they were expelled from some forty localities in the West.

The most notorious incidents of violence against the Chinese included various massacres between 1871 and 1887 in cities in California, Wyoming, Washington, and Oregon. Asian Indians were expelled from Bellingham and Everett, Washington in 1907 and Live Oak, California in 1908. Japanese laborers were driven out of cities across California between 1921 and 1924, including Turlock, Livingston, Delano, Hopland, Woodlake, and on two separate occasions from Los Angeles; they were also expelled from Toledo, Oregon in 1925. Filipinos were attacked by white mobs in California between 1919 and 1930, in Exeter, Stockton, Dinuba, and Watsonville (Akers Chacón 2006). The discrimination, violence, and expulsion perpetrated by racist whites against Mexican immigrants in the U.S. were particularly heinous.

Pedraza and Rumbaut (1996) argued that the experience of northward-bound Mexicans closely mirrored that of the black experience in the South. Carey McWilliams (1948) corroborated this argument by shedding light on Mexican lynchings. He reported that the first person lynched in California was Mexican and argued that an accurate estimate of the number of Mexican lynchings between 1849 and 1890 would require "vast research." Furthermore, between 1915 and 1917, the Texas Rangers and other vigilantes in South Texas killed an estimated five thousand Mexicans (McWilliams 1948). According to Mirandé (1987), "Meskins" were depicted as bloodthirsty savages and stereotyped as "*bandidos*," when they banded together to combat the unprovoked lynchings, massacres, and land robbing along the border. *Mexicanos* were also subjected to a two-tiered justice system favoring white "settlers," that were oftentimes dedicated to the annihilation of these "despicable creatures" and viewed as heroes by the "respectable and honorable" dominating class (Mirandé 1987).

In examining this first period of high immigration to the US, the link perpetuated between criminality and immigration, irrespective of social science findings to the contrary, has provided the foundation for popular violence against immigrants, particularly marginalized immigrants of color. Stereotypes also helped to justify anti-immigrant policies targeting these groups despite the notion that immigration laws are enacted "for the protection and well being of U.S. residents" (Reitzel 1946:1100). As such, a flurry of anti-immigration laws began targeting specific groups and culminated in a blanket policy that, for all intents and purposes, stopped immigration to the US, which showed that the racial and ethnic makeup of the US was a primary concern for white nativists. According to McKee (1993), the only recourse for the white establishment was to create policy that would sterilize, prevent entry to, and make deportable those immigrants that were "diseased," "feble-minded," and with "mental disorder."

According to the Center for New Community, "in the wake of the Civil War, and with the failure of

Reconstruction, it was Jim Crow and anti-miscegenation laws that intended to keep the races forever separate and distinct” (2005:5). As such, race-specific anti-immigration policies began with the serial exclusion of Asian immigrants in an epoch recognized for “yellow peril.” The Chinese were first prohibited from immigration in 1882, the Japanese in 1908 (which was not manifestly law), and the Immigration Act of 1917 excluded “Asian Indians and all other native inhabitants of a barred Asiatic zone” (Ngai 2004:18). This was followed by a more sweeping policy on immigration to the U.S. Though certain groups were restricted from migrating to the U.S., the nation’s first comprehensive restriction law, which set the foundation for future laws, was passed in 1924 and was retrospectively viewed as an “emergency measure” (Stockwell 1927).

The 1924 Immigration and Naturalization Act “established for the first time numerical limits on immigration and a global racial and national hierarchy that favored some immigrants over others” (Ngai 2004:3). Specifically, the 1924 Act established national origin quotas, exempted countries of the Western Hemisphere from numerical restrictions, and excluded all persons ineligible to citizenship from immigration. From this policy the Immigration and Naturalization Service (INS) was born. On one hand, its purpose was to restrict undesirable white ethnic immigrants, and on the other, it was supposed to deal with Mexican immigrants at the border by the mechanism of the INS border patrol.

This national immigration policy was based on white racism and ethnocentric ideologies. Western Europe benefitted greatly from the distribution of national origin quotas because they were calculated based on two percent of the foreign population using the 1890 census, a census that did not reflect the influx of immigration from Southern and Eastern Europe as did the 1910 or 1920 census. Furthermore, the exclusion of all “persons ineligible to citizenship” continued the legacy of Asian exclusion as it barred all the nations of Eastern and Southern Asia from immigration (Wu 2003; Ong Hing 2004).

During this period, Latino immigrants, mostly *Mexicanos* as “commuter” labor, were typically allowed to freely cross the México-US border in their pursuit of agricultural work, but at other times, when their labor was unwanted, they were restricted, or were even expelled *en masse*. This happened, for example, in the 1930s when deportations and repatriations promptly occurred once the *migra* had been handsomely funded, which also coincided with the end of both World Wars. Bert Corona, an acclaimed immigrant and labor rights activist during the mid-20th century, reported that based on the INS’s “friendly” opportunity for *braceros* to regularize their expired labor contracts, a litany of them that complied to receive their *permisos*.

The INS knew exactly where they lived, which made it very easy for its agents to round up an estimated over one million *Mexicano* laborers in 1954, and deport them after sending them “baggage letters” thirty days prior (Garcia, 1994). According to Corona, this was the onset of “Operation Wetback,” a series of deportations that lasted for years, and named after *Mexicanos* that worked in the US without documents, or wetbacks, “...a pejorative term suggesting aliens who were in the country sponging off its riches ...[but were actually] working [here] productively” (182), and had merely crossed the border in search of work because of the high unemployment in México, and were unable to enroll in the *Bracero* Program.

The enforcement policy of employing deportations has been a prominent and effective method for the INS, and now the Immigration and Customs Enforcement (ICE), a branch agency of the Department of Homeland Security (DHS), to legally expulse undocumented immigrants from this country, to give a cover that America is “safe.” It is historically obvious that the agency has proven not to be effective in deterring immigrants from crossing the México-US border (Florida 2008).

In sum, this period was marked by high immigration, violent expulsions of ethnic immigrants by whites, and policies that sought to restrict and expulse immigrants of color, and is marred by a history of violence and overt racism. Although there has not been the historically extreme overt violence by whites lynching other white immigrants and immigrants of color as witnessed in the past, there has been an increased membership in hate groups and hate crimes against Latinos (documented earlier) in recent years. The number of hate groups identified by the SPLC rose from a reported 602 in 2000, to 888 in 2007, or a 48% uptick, which has arguably been driven by the immigration debate (Potok 2008). Southern Poverty Law Center data for 2010 puts the number of hate groups at 1002, which is 12.8% above the number in 2007 and 66.5% above the numbers reported in 2000 (Potok 2011).

In the following years, policies were focused on not only restriction but also imposed quotas that laid the groundwork for justified expulsions manifested through the development and increase of INS’s militarization of the border, interior raids on the community and workplaces, and deportations. In the next section, I provide a brief review of the prevailing stereotypes and anti-immigrant policies that have now instituted the eradication of immigrants from a convergence of tactics—imprisoning immigrants for profit, and maintaining the hegemonic power structure.

CONTEMPORARY IMMIGRATION: IMMIGRATION AND CRIME RESEARCH

The second period of high immigration to the US is marked by the 1965 amendments to the Immigration and Naturalization Act. The 1965 Act replaced the 1924 national origin quotas with a “global (applying to all countries) and evenly distributed (20,000 per country)” quota system (Ngai 2004:227). Immigration legislation for the first time created the conception of the “undocumented worker,” which has become synonymous with “Mexican,” because of the large labor pool that México has supplied and of which has consistently exceeded this limit. At the same time, it imposed quotas on countries in the Western Hemisphere. For instance, the 1965 Act opened up the possibility of Asian immigration but made Latin American immigration more arduous by imposing a quota the 1924 Act had never imposed.

The relaxed immigration quotas led to significant increases in legal international migration to the U.S. beginning when the Act went into effect in 1968. In the following era of immigration to the U.S., the racial composition reversed from 90% white immigrants, to 90% immigrants of color entering into the U.S. (Massey, Durand and Malone 2002). That is, the composition of international migration to the U.S. changed from the earlier period of high immigration largely dominated by European immigrants to one dominated by Asian and Latin American immigrants (for the increase in Latin American immigration in spite of the caps placed on the Western hemisphere see Massey 1995). Furthermore, the introduction of quotas on the Western hemisphere created an undocumented stream of immigration from México without numerically changing the immigrant flow, and the militarization of the border increased the incentive for immigrants to become a permanently settled population (Massey, Durand and Malone 2002).

As immigration and crime research waned during the mid-20th century, it was again brought to the forefront in the late part of the century after the last current flow of immigration was well underway, and the findings were very similar to earlier research: immigrants were less engaged in crime than were their U.S.-born counterparts. Similar to findings at the turn of the 20th century, studies at the end of the 20th century still supported the idea that immigrants commit proportionally fewer crimes than do U.S.-born citizens (Horowitz 2001).

In an analysis of FBI records, the General Accounting Office reported that foreign-born individuals accounted for only 19 percent of total arrests in six major cities in 1985. Similarly, Butcher and Piehl (1998a) examined cities with high-density immigrant populations and those with fewer immigrants and claimed that although cities with high levels of immigration tend to have high crime rates, there was no differences from “year to year or over 10 years,” and further claimed that “it does not appear that reducing

the number of new immigrants will lead to a measurable impact on crime rates” (1998a:486). Although there has been an increase in the incarceration of foreign-born residents, this increase coincides with an overall trend showing an increase in incarceration in general (Morawetz 2000). This holds, even though the data for immigrant incarceration may be inflated, because when immigrants are sentenced they are typically given longer sentences than are U.S.-born inmates (Butcher and Piehl 2000).

Contrary to earlier public perceptions that immigrants brought the criminality of their home countries with them, studies have shown that the longer the exposure to the U.S., the more likely immigrants and later generations mirror and or surpass native-born crime rates. Specifically, Butcher and Piehl (1998b) found that newly arrived immigrants were less likely to be incarcerated than those that had been in the U.S. for a longer period; furthermore, they argued that the longer immigrants stay in the U.S., the more likely they are to reflect the conviction rates of the native-born. In a *New York Times* article Sampson (2006) reported that first-generation Mexicans in Chicago were 45 times *less* likely to commit violence than the third-generation. Furthermore, Lee (2003) found that “assimilated” youth have long been more likely to be delinquent.

Aside from trend data, theoretical advancements have also been made in the field of immigration and crime. Two researchers, Sampson and Martinez, in particular, have developed a slate of research focused on crime in relation to race, ethnicity, and immigration. For example, Lee and Martinez (2000) argued that crime is not only a function of economic or cultural forces, but is also linked intimately to the fundamental process of social change.

Other scholars also criticized cultural explanations of crime, pointing instead to neighborhood effects in mostly immigrant communities, which have advanced the literature on social disorganization (Sampson, Morenoff and Raudenbush 2005; Sampson and Wilson 1995; Sampson, Raudenbush and Earls 1997). For instance, Sampson and Lauritsen (1997) advanced the “proximity hypothesis,” pointing to structural conditions and arguing that the “subculture of violence” could not account for the wide variety of crime across structurally diverse neighborhoods of color. They assert that powerful and lower-level factors coincide to impede social organization, creating climates for expected criminal activities. Because immigrants were settling in these urban transitional zones an intuitive interpretation might expect higher rates of crime among this group, and that seemed to be the case in the 1930s. However, the key issue affecting crime at that time was argued to be the organizational stability of the community. Disorganized neighborhoods frequently showed higher levels of transition, and competing cultures were correlated with higher levels of crime. However, when these immigrants moved out to more stable working class homes the crime rates in these areas was lower.

What Sampson's recent research shows is that areas of settled immigration actually have a lower crime rate. Sampson (2008) concluded "living in a neighborhood of concentrated immigration was directly associated with lower violence . . . immigration thus appeared "protective" against violence" and that "cities of concentrated immigration are some of the safest places around" (2008: 29, 30). Indeed, he argued that rather than cultural conflict, immigration and increasing cultural diversity has helped spur economic and urban growth as immigrants shape the host society.

Ramiro Martinez has been at the forefront of the research on the relationship between immigration, ethnicity, and crime, and he says that the vast body of literature fails to support the hypothesis that immigrants are highly crime-prone. He has quantitatively examined the homicide rates among ethnic groups in Miami during the 1990s (Martinez 1997), the relationship between ethnic distribution and homicide (Martinez 2006), the relationship between immigration, urban violence, and homicide rates (Martinez 2000), the impact of immigration on homicide rates across three border cities (Lee, Martinez and Rosenfeld 2001), cultural differences in homicide rates among and between immigrant and native groups in Miami (Martinez 2002b), and Latino homicide rates in five cities across the U.S. (Martinez 2002a). Martinez and Valenzuela (2006) addressed the many facets of the nexus between immigration, crime, ethnicity, and violence and found that immigrants are clearly underrepresented in crime rates. Based on similar assertions Nielson and Martinez (2009) claimed that immigrants fail to disrupt and/or undermine social integration in their communities. Similarly, Sampson's (2008) research shows an inverse relationship in the period 1990-2004 between homicide and immigration, with the highest immigration rate correlating to the lowest homicide rate:

[T]he pattern upends popular stereotypes. Among the public, policy makers, and even many academics, a common expectation is that the concentration of immigrants and the influx of foreigners drive up crime rates because of the assumed propensities of these groups to commit crimes and settle in poor, presumably disorganized communities . . . and yet immigrants appear in general to be less violent than people born in America, particularly when they live in neighborhoods with high numbers of other immigrants. (Sampson, 2008:29-30)

Moreover, where Latinos do engage in violence, has typically nothing to do with a culture of violence, but with the conditions that create conflict. Martinez (1996) undertook the "first comprehensive analysis of Latino homicide," and found that inequality among the Latino community is more to blame than simply poverty. His study showed that a large income gap within the

community creates the conditions under which Latinos vent frustration against each other. Their frustration is compounded by the obstacles immigrants faced, making them less likely to socially and economically compete for scarce jobs and resources, and therefore, less likely to compete for status within these communities (a focus negated by Wilson 1987, 1996). Martinez (2002b) also examined the Latino experience stemming from the newest wave of immigration, which he dates between 1980 through the 1990s.

Though he posited that research on Latino crime practically remained untouched during the 1980s and 1990s, and that more studies on Latino crime were needed, Yzaguirre (1987) found that Latinos experienced an increase in crime in their communities because of federal job-training program cutbacks. His study showed that it cost less to train individuals and employ them than it did to incarcerate them for a crime they committed because they had no money. Despite few programs to train immigrants, there remains high employment rates amongst them, which could explain to some degree their lower crime rates.

At the end of the 20th century, research still reported low engagement in crime amongst immigrants. However anti-immigrant forces that were being galvanized, and which were fully triggered by the events of 9/11, heightened the rhetoric about them being crime prone. Stereotypes and labeling of immigrants of color, mostly Muslims, were used to justify many atrocities to them. But this rhetoric was soon turned and cast upon Latino immigrants and has been effective in riling up and expanding the memberships of hate groups, which has in turn prompted the brunt of hate crimes in the US, against Latinos.

STEREOTYPES, POLICING, AND POLICY

The public perception that links immigrants with crime, finds new manifestations in the contemporary period, particularly surrounding issues of national security, drug enforcement, and unauthorized immigration. Kil and Menjívar suggested that the public frequently views immigrants as "criminals, enemies and [therefore] threats to national security" (2006:173-174). According to some researchers these views have been fueled by acts like the initial bombing of the World Trade Center in 1993 (Kleinknecht 1996) and the ensuing 9/11 events (Fernandez 2007). In fact, the nativist sentiment post-9/11 led to a wave of hate crimes committed against the foreign born, especially the Muslim community that became a target of vicious attacks and, in some cases, homicides (Hanania 2003). According to FBI data anti-Islamic hate crimes averaged 32 per year in the five year period from 1995-1999. In 2001 they increased to 546, and averaged 219 for the five year period from 2000-2004 and 144 per year during the most recent period from 2005-2009. In 2007, some U.S. politicians, such as Newt Gingrich

“declared the ‘war at home’ against illegal immigrants was more deadly than the battlefields of Iraq” (Sampson 2008: 29).

Indeed, hostility targeting Mexican immigrants is particularly acute, especially near the México-U.S. border. For example, Kil and Menjívar (2006) equate the U.S. “war on drugs” as the “war on the border.” U.S.-led antidrug efforts targeting *Mexicanos*, and the criminalization of unauthorized immigrants has led to the stereotype of the “drug smuggling” Mexican *inmigrante*. Based on conversations with immigrants, in the rare cases where unauthorized immigrants have smuggled small quantities of drugs, it is oftentimes used to fund the border-crossing journey. This is much like a cross-country hitchhiker filling his or her pockets with valuables to sell, pawn, or trade for victuals—a border-crosser would typically cross drugs to remunerate the trek, not as a career endeavor.

Furthermore, Mexicans, irrespective of their authorized status have been stereotyped as “illegal,” making the pejorative term *illegal* synonymous with the “disease-carrying, crime-prone Mexican.” Yet, Passel and Fix (1994) showed that only one-third of all unauthorized immigrants are Mexican. Moreover, reports have shown that approximately half of all unauthorized immigrants overstayed their visas, and a large portion of them crossed the border permissibly (González 2005). Nevertheless, Martínez (2006) stated that media stereotypes have existed since the turn of the last century, “morphing from bandit to gang member.”

Though some scholars have argued that there are periods when immigrants are portrayed in a favorable light, arguably these blips occur within a larger anti-immigrant context. Santa Ana, Trevino, Bailey and Necochea (2007) argued that the media in “humane” light portrayed immigrants during the immigrant rights mobilizations in Spring 2006. However, just as before the mass mobilizations, immigrants were portrayed and stereotyped once again as “criminals” shortly afterward. This blip in the media’s characterization of immigrants occurred in the context of increasing anti-immigrant sentiment and persistent public stereotyping of Latino immigrants (Chavez 2001) as gang members, drug smugglers (Mears 2001), and terrorists (Kil and Menjívar 2006).

The 2006 mobilizations themselves were in response to anti-immigrant sentiment that was galvanized in a draconian restrictive immigration reform policy, HR4437, which passed on December 16th, 2005, in the House of Representatives in less than a week, but stalled in the Senate. Had this Bill been passed, it would have immediately criminalized 12 million undocumented immigrants and (1) charged anyone that aided and abetted them with an aggravated felony, (2) authorized local law enforcement officers to apply federal immigration laws, (3) constructed hundreds of miles of fencing along the

México-U.S. border, and (4) called for the immediate deportation of all unauthorized and deportable immigrants. Since then, anti-immigrant sentiment, rhetoric, and actions have thrived in the media, further polarizing the U.S. citizenry.

Racialized stereotypes of Latino and Middle Eastern immigrants found in the public and the media have real consequences. For example Green, McFalls and Smith (2001: 486) argued that “the media instigate hate crime by formulating, propagating, and legitimating stereotypes about potential target populations,” which is particularly troubling for immigrants given their latest treatment in the media and the current rise in Ku Klux Klan membership and other nativist fringe groups. Nevertheless, Sacco (1995) pointed out that, regardless of what is reported in the news media, it is the audience members’ own predispositions that determine their interpretation of what they are reading or viewing and the actions they take in response to the media. In other words, the media simply incite existing racist-oriented reactions and provide scripts and justifications through which individuals become motivated to on.

Presently, with the exception of the state still targeting Muslims as “terrorists,” the brunt of attention in the media has turned to Latino immigrants, but mostly to *Mexicano* immigrants. In terms of the galvanization of hate-driven sentiment among the American public, it is clear that it has greatly influenced and justified anti-immigrant policies and actions that serve to protect the status quo. In the following sections, I focus mainly on *Mexicanos*.

HATE GROUP VIGILANTISM AND ITS PUBLIC SUPPORT

The propensity to view immigrants as criminals has led to a widespread campaign and heightened vigilance to monitor immigrants’ activities, restrict their movement, and ultimately remove them from the U.S. In the years following the 9/11 events, anti-immigrant-oriented hate groups spawned across the US (see data discussed earlier and the SPLC’s geographical hate map, SPLC 2011), yet some had already been in existence along the México-U.S. border. In Arizona, a band of ranchers had already been actively accosting immigrants crossing through the treacherous desert across their land. In one case migrants sued a rancher for assaulting their group (Seper 2009).

In 2004, a hate group emerged that was named after California Proposition 187, “Save Our State” (SOS), a law that in 1994 would have denied social services to immigrants statewide. The myopic nature of SOS disallowed for it to move beyond Southern California, and of what it once was, it has become a mere shadow. It targeted perhaps the most vulnerable immigrant group, day laborers—those who seek informal temporary employment in public view. Another hate group that was much more

successful and mainstreamed was the Minutemen Project (MMP), who clandestinely grew through 2004, and publicly surfaced in the spring of 2005. Its purpose was to circumvent the entry of migrants passing through the Naco-Bisbee Arizona corridor during the month of April, under the guise of a “community watch group.” Then California Governor Arnold Schwarzenegger praised the hate group’s actions, and later invited them to undertake operations in California (Sterngold and Martin 2005). Although the MMP projected to draw an estimated 2,500 “border watch” volunteers in Arizona, according to Vicente Rodriguez, an immigrant rights activist from San Diego, when he arrived to the city of Tombstone, Arizona, to protest the presence of the MMP “there was seventy-five minutemen that showed up and they stayed for the month of April, they reported turning over 327 immigrants to the Border Patrol...about seventy-five television cameras were also present, [but left] four days later because the Pope died.” Although there was resistance to the presence of the MMP in Arizona, when the MMP chose to “patrol” the border in Eastern San Diego County, the leftist faction of the Southern California Immigrant Rights Movement mobilized to successfully neutralize their operation (Díaz 2010). The activists allowed only three migrants to be detained by the MMP and/or the *migra*, and two migrants were shot by the *cazamigrantes*.

Despite the success of such anti-immigrant hate groups as MMP and SOS, along with the ability of the Arizona ranchers to escape criminal charges for the many atrocities they committed against migrants, SOS and other hate groups, such as the American Civil Patrol, and Friends of the Border Patrol, never mobilized to the border during the zenith of these racist activities that preceded the passage of HR4437 in late 2005 (Díaz, 2010). Nevertheless, they were successful in opportunistically drawing a modicum of media attention. It can also be argued that, during this epoch, these groups were fueled by the rise of “hate media” that exploded but none stood out and garnered more attention than CNN’s Lou Dobbs, who quickly became the conventional voice of the anti-immigrant movement. Before being fired by CNN, he can be credited for unilaterally bridging the anti-immigrant forces from within the U.S. Congress, the xenophobic vigilantes, and most critically, mainstream America, against Latino immigrants (Lovato 2009).

In the years leading up to and after the passage of HR4437, it has been *Main Street America* that has given rise to the anti-immigrant movement to impose local and statewide anti-immigrant legislation around the country. One of the most widely known local struggles around this issue was in Hazelton Pennsylvania (Powell and Garcia 2006). Other statewide struggles that have given rise to the most racist law enforcement shenanigans, not seen since the Texas Rangers of the 19th century, have occurred in Arizona around 287G, and Arizona State Proposition 200, which have both gone beyond California Proposition

187, that failed on unconstitutional grounds in the mid-1990s.

Since the passage of HR4437 in late 2005, the focus has been on enforcement-only policies by the past and current presidential administrations as a resolution to the immigration reform debate. Compulsory policies were imposed by the Bush administration, which included home and workplace raids, deportations, and most dastardly, the detention of men, women, children, and even entire families, which could prove costly in the next election where Latino citizens were voting (Sanchez 2009). These racist actions to pass anti-immigration laws serve a much broader purpose than the mere appeasement of hometown anti-immigrant racism. The continued criminalization of immigrant workers fuels an emerging privately owned and maintained machine that has reaped the benefits and has grown to unprecedented proportion.

In the next section, I discuss some of the policies that have served to criminalize authorized and unauthorized immigrants, and how these anti-immigrant legislative attacks on the immigrant community have made it more vulnerable to enforcement-only policies during the Bush and Obama administrations.

CONTEMPORARY IMMIGRATION POLICY

Rhetoric from federal-level politicians and their national allies that has pushed “enforcement first” policies, and that links national security with unauthorized entry into the U.S., fuels the “phantom panic” that aims to expel immigrants from the country; but, most reprehensibly primarily criminalizes them. Prior to 2007, national nongovernmental organizations such as the National Council of *La Raza* (NCLR), the Mexican American Legal Defense and Educational Fund, and the League of Latin American Citizens, along with the Catholic Church, the Service Employees International Union, and other so-called immigrant advocates including Democratic Party “allies” to the Immigrant Rights Movement, allowed for the anti-immigrant Republican Party’s extreme right-wingers to continue demanding “enforcement first” policies. This included the Secure Fence Act of 2006, which insured a “double fence” along the border, and the 287G Program that has trained local authorities to enforce federal anti-immigration laws after being “trained.”

It can be argued that the public’s disbelief of the government’s capacity to secure the México-U.S. border led to stalled immigration reform in 2006 and 2007, which prompted both political parties to begin looking “tough on immigration.” As a result, HR 6061, the Secure Fence Act of 2006 was overwhelmingly passed on September 14th, by 64 Democrats and 131 Republicans, voting against 131 Democrats and 6 Republicans and 1 Independent, for a total of 283 to 183; and in the Senate it passed on the 29th

September by a margin of 80 to 19, with 26 Democrats supporting the legislation (Washington Post 2010).

And yes, then Senator Barack Obama (D-IL) was among those Senators voting in the affirmative despite what he stated “sen[t] two strong messages with which he disagree[d]—that México is “not our friend” and that an enforcement-only approach can work—because restoring order in the border region is necessary to winning the American people’s support for full reform” (Kowalski 2007: 1). In one of Obama’s favorite words, these reasons were “disingenuous” because no fence, long or short, will restore “order” on the border, and also because, as a presidential candidate, he should have led and persuaded, not hid behind a “safe vote” (Kowalski 2007).

In 2007, both political parties and the brunt of non-governmental organizations, including large unions and the Catholic Church, argued that “Every nation has the right to protect its borders,” and that once the border is completely enforced “immigration reform is then perceivable.” This is encoded “enforcement!” Now, these organizations, along with the Democratic Party, are admonishing enforcement-first policies but they cannot have it both ways. Because of their demands for enforcement in order to get “reform” new policies, like the statewide Arizona law SB1070, are being implemented across the country and this has ultimately led to rampant racial profiling and hate crimes against Latino immigrants. The mere presence of either a perceived foreign born or “foreign-looking” U.S.-born individual, seems to be a prerequisite for their perceived participation in criminal behavior, and this is especially true if he or she “looks Mexican” (Mirandé 2003).

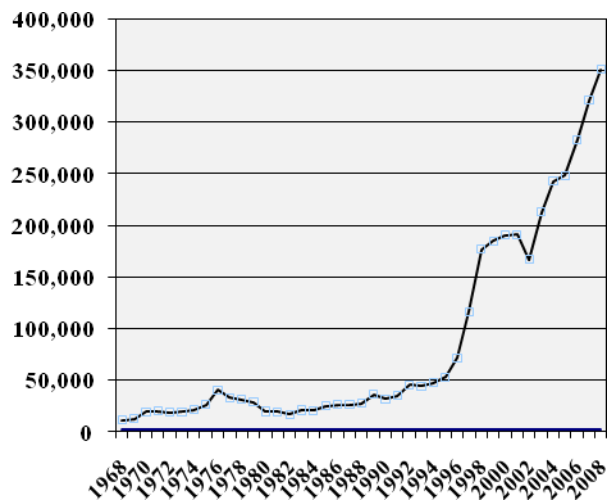
The link between immigrants and criminality has led to policy that is aimed at curbing the immigrant population by lowering the benefits provided to them, attacking the cultural core value of Latino immigrants, the family, by expelling individuals, like in earlier waves of immigration, and by attacking immigrants’ livelihoods and their very existence in U.S. society. For instance, in the 1990s three state initiatives were placed before California voters in consecutive elections. Proposition 187, on the 1994 ballot, known as the “Save Our State” initiative, sought to deny undocumented immigrants access to public benefits such as health care and education; Proposition 209, on the 1996 ballot, known as the “California Civil Rights Initiative,” sought to end affirmative action; and, Proposition 227, on the 1998 ballot, known as the “Unz Initiative,” sought to end bilingual education. California voters passed all three initiatives, however 187 was determined to be unconstitutional and was never implemented. In 1996, these state initiatives were supplemented by anti-immigrant legislation at the federal level.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, established “restrictions on the eligibility of legal immigrants for means-tested public assistance and broadened restrictions on public benefits for undocumented immigrants. It also required the INS to

verify an immigrant’s status before he or she could receive benefits” (Singer and Gilbertson 2000:3). In 1997, in response to protests and public outcry, some immigrants who entered the U.S. before 1996 had their benefits restored (Fix and Passel 2002; Reese and Ramirez 2002).

The Illegal Immigration Reform and Immigration Responsibility Act of 1996 (IIRIRA), augmented sentencing for numerous “low level” or previously considered misdemeanor crimes, expanded the deportable criteria for immigrants who committed offenses and, the most inequitable change, made these violations retroactive leading to a sharp rise in deportations (see Figure 1).

Figure 1: Deportations in the US 1968-2008



Source: This graph is derived from data provided from the Department of Homeland Security

Thus, the growth of anti-immigrant policy is promoted regularly as “anticrime” legislation in an attempt to portray the government as being “tough on national security.” For example, Paterson (2010) argued that on May 26th, 2010, President Obama has supported the “manufacturing of a border crisis” by sending National Guard troops to the border along with \$500 million, although “El Paso and San Diego are rated among the safest cities in the US. Since 9/11, no terrorist has been detected crossing from México. Even detentions of border-crossers are way down, up to 90 percent in the New México corridor alone” (2010:1). Furthermore, despite the head of DHS, Janet Napolitano’s claim that “If you look at the facts, the border is now more secure than ever,” even Cecilia Muñoz the former head of NCLR and current White House deputy Cecilia Muñoz “denied politics was the main motivator for calling out the Guard. Reiterating the President’s position, Muñoz insisted the focus of the Guard deployment would be halting illegal drug and cash shipments, not immigrants” (Paterson 2010:

3). Also in light of record low crime rates along the US side of the México-U.S. border, Mexican immigrants, like criminals, even those who have usually not committed a felonious or other serious offense, continue to serve time in jail preceding deportation, “in limbo.”

Days after the major 2006 mobilizations that began in Philadelphia, and followed in the Bay Area, Chicago, Dallas, Denver, Los Angeles, Milwaukee, and many other cities around the country against the anti-immigrant legislation, or what I have called *La Gran Epoca Primavera 2006* (Díaz 2010), the U.S. Senate immigration debate took place on March 27th, 2006, which virtually eliminated from all consideration the draconian provisions of HR4437. This bill was undoubtedly defeated on the streets; the historic mobilizations clearly influenced the debate that undermined HR4437, and these images are embedded deeply still in the memory of citizens and noncitizens alike.

Even so, as described above, in recent years law enforcement has increased its anti-immigrant campaign of deporting and detaining mostly Latino immigrants at an alarming rate. This is a more sophisticated methodology of enforcement that now has the essential goals of the Prison Industrial Complex (PIC), detain for profit, and eradicate from society a certain population. In the case of immigrants, in the past they were viewed as “alien,” and sent back to where they came from; in the present they are viewed as “criminal aliens” and, therefore, imprisoned in publically funded privately operated for profit penitentiaries to keep the public “safe.”

THE RISE OF THE IMMIGRATION INDUSTRIAL COMPLEX

It has been established that the criminalization of immigrants, whether they have entered the U.S. permissibly or not, and public discourse that associates them with the “terrorist threat,” along with a history of draconian anti-immigrant policies, have created and fueled a profit-making “Immigration Industrial Complex” (IIC), that is highly centered around workplace raids, deportations and most detrimental to this group, detention (Fernandez 2007; Golash-Boza 2009).

As suggested earlier, because the public commonly perceives Latinos as a “crime threat,” usually as drug dealers and gang members (Martinez 2006), it provides support for the government’s efforts to militarize and spatially secure the México-U.S. border (Palafox 1996; Nuñez 1999). However, the México-U.S. border is not the only focus of national security. Border enforcement has moved to the interior (Menjívar and Bejarano 2004); ICE has increased their efforts to raid workplaces and communities, plaguing Latino immigrant communities with fear and harassment. These raids have resulted in scant apprehensions of mostly undocumented Latino

citizens and proved to be generally ineffective in securing the border.

Kossoudji (1992) found that migrants stay in the U.S. longer when they are not apprehended, and when apprehended stay in México shorter periods of time before returning to the U.S. to compensate for the cost of a past apprehension. One researcher advocated for the police community to record ethnicity and related data sources so that researchers and practitioners can directly test, rather than assume, that Latinos are — or are not — crime prone (Martinez 2006).

CATCH AND RELEASE, CATCH AND DETAIN, AND CONSEQUENCES

Although expulsion via deportations has been the pattern for nearly a century, now one of the most widespread and insidious ways in which expulsions are pursued is by detaining immigrants out of public view (Fernandes 2007). Detainment has increased by 31% in the past ten years, and among undocumented immigrants from all nationalities, has risen from 6,785 in 1995 to more than 22,000 in 2006, and the U.S. Government was paying the detention center owners \$95 a head in 2007 (Lydersen 2007). Detentions tripled from 1994 to 2001, from 5,532 to 19,533; and in fiscal year 2000 the then INS admitted more than 188,000 impermissible immigrants into detention (Jackson Lee 2001). From 1997 to 2007, detention rates more than doubled (Douglas and Saenz 2009). Detentions severely and negatively affect detainees’ lives while they await deportation or asylum hearings. Ironically, many detainees have not been convicted of a crime, yet they are held in facilities that restrict their movement, prevent their access to gainful employment and, most detrimentally, limit interaction with their families and society, both of whom are greatly dependent on them.

Detentions and deportations are exacerbated with the increase in raids carried out by ICE. According to the Associated Press (2007), worksite arrests have dramatically increased in the past two years; ICE agents have arrested more than 4,000 people in workplace raids from October 2006 through September 2007 and 3,700 during the previous year; that is up from fewer than 500 arrests in 2002 and 2003. Because of the home and workplace raids, expulsions have also risen. In 2004, there were an approximate 174,000 deportations; there were approximately 221,664 deported under the guise of “national security” in 2006; an increase of 20 percent from 2005; in the fiscal year 2007 there were an estimated 288,663 deportations, and in the following year 2008, 349,041 deportations were undertaken. Haughtily, ICE stands by its arrest procedures, which includes allowing phone calls, asking about familial and childcare issues, and

giving lists of free or low-cost legal aid offered by organizations in these areas of apprehension.

Organizers of the Immigrant Rights Movement have experienced years of institutional backlash at the hands of the US government for the spring 2006 pro-immigrant mobilizations. Three years before the 2006 mass mobilizations, fewer than 500 arrests were made; the year prior, 3,700 individuals were arrested by ICE, and the year following, an estimated 4,000 individuals were arrested in ICE workplace raids (Garcia 2007). As recently as October 2008, more than 300 suspected undocumented immigrants were detained at Raeford's Columbia Farms, a chicken processing plant in Greenville, South Carolina (Associated Press 2008). Just two months prior, in August 2008, more than 600 suspected undocumented immigrants were detained at a Mississippi plant in the largest single-workplace immigration raid in U.S. history (Ordóñez and Alexander 2008); and, in the Inland Empire, California, dozens of day laborers were arrested, beginning on Christmas Eve and Day, 2008. During these actions a disgruntled *migra* agent was fired for giving water and aiding an injured immigrant against administrative orders, and exposed an "arrest quota." His superior wanted him to stay in the field to meet his apprehension and arrest quota for the month (Taxin 2009). Although the raids have slowed, after mobilizations by pro-immigrant forces at the ICE office in Riverside, the struggle continues in the Inland Empire (Wall 2009).

Not only are unauthorized immigrants being deported at an alarming rate, but also the deportations of authorized immigrants who have engaged in "criminal" activities, have also dramatically increased. According to Kanstroom (2000), due to the provisions of the IIRIRA, long-term permanent residents were immediately deportable for minor post-entry offenses. Because this policy was retroactive, many individuals convicted of felonies who had served their time were again incarcerated to await deportation trials. Indeed, following the implementation of the 1996 Act, over 500 legal residents were detained after being arrested for old DUI charges. Furthermore, any individual who has committed any type of felony, is subject to automatic deportation (Kanstroom 2000) and the term "aggravated felony" was relaxed to include fraud—which, prior to this, was neither considered aggravated, nor a felony—in order to inflate deportable criteria (Morawetz 2000). Finally, laws have become so far reaching that both documented or undocumented immigrants in a state or federal prison are eligible for deportation; in urban areas there has been a 50 percent increase in arrests for misdemeanors; even for petty misdemeanors (Butcher and Piehl 2000). These actions preceded the atrocities of 9/11.

Furthermore, in recent years, in an effort to "cleanse" the U.S. of undesirables or "criminals," the criterion for deporting immigrants has also expanded, leading to an increase in deportations. For example, in 2007, 221,664 unauthorized immigrants were removed from the U.S., an

increase of 20 percent from the preceding year (Preston 2007). Many of these individuals lost their right to due process and were removed under the guise of "national security," especially after the events of 9/11, whereupon attention has slowly turned to the specific criminalization of undocumented Latino immigrants.

Immigrants that have fled life-threatening situations, such as war, and then subsequently seek asylum, but who entered the US "unlawfully," are often a targeted group for deportations; this is especially relevant for children. In 2005, the Department of Homeland Security arrested 7,787 children, and every year thousands of children enter the United States, impermissibly and alone (Scharf and Hess 1988), and the average age of these traveling kids was 15 years old (Bhabha and Schmidt 2008).

At the core of the Immigration Industrial Complex is the inhumane and immoral division of families, despite the significance of so-called American family values. These racist anti-immigrant policies criminalize parents and children alike, and subsequently tear their families apart. Immigrant parents and immigrant rights activists have long complained that procedures used by ICE make it arduous for parents to ensure childcare for their children in case of their being arrested (Associated Press 2007). The main grievance is that this policy, that not only criminalizes parents but children alike, tears families apart, keeping parents from employment and, therefore, leaves many families unable to cope on single or nonexistent incomes (Garay 2007). Between fiscal years 1998 and 2007, ICE reported 2,199,138 removals in the U.S., involving 108,434 undocumented parents of U.S. citizen children (DHS 2009).

Randy Capps, in a 2006 Pew Hispanic Center 2006 study, estimated, that there are five million children in the US with at least one undocumented parent; an estimated 3.1 million children are US citizens, and an estimated 1.8 million are themselves undocumented. He stated that "there are a lot more children, if you will, that are at risk of consequences in the future if these worksite raids are ongoing" (Associated Press 2007). The Associated Press cited Lisa Navarrete, from the National Council for La Raza, "We're hearing these stories every week, of something happening, an enforcement action, kids and families being separated, kids being left behind not taken care of...clearly that's a major issue within this whole enforcement strategy" (2007:2).

The incarceration of children makes them *de facto* co-conspiring crimeless prisoners, much like the Japanese and Jewish "interns" of the past. In some cases, children are deported while their parents are allowed to stay in the country (Toosi 2007); or parents are picked up in a sweep and the children are left to fend for themselves (Castañeda 2007). Nevertheless, facilities like the Hutto Detention Center are constructed to "maintain the unity of alien families" (ICE 2007). As previously mentioned, this often means that children who are US citizens are detained in

facilities that are much more like prisons than like the “homes” the government and or profiteers would portray.

DISCUSSION

The perception of “*criminal alien*” has remained popular through much of US history, despite the large body of evidence that indicates immigrants commit crimes at a lower rates than do their U.S.-born counterparts (Butcher and Piehl 2000; Kanstroom 2000; Moenoff and Astor 2006; Morawetz 2000). In a joint paper sponsored by the Carnegie Endowment for International Peace and the Urban Institute, Horowitz wrote, “Few stereotypes of immigrants are as enduring, or have been proven so categorically false over literally decades of research, as the notion that immigrants are disproportionately likely to engage in criminal activity...(If anything) immigrants are disproportionately unlikely to be criminal” (2001:2). Despite research contradicting the stereotype of *criminal alien*, immigrants are linked continually with crime in the public’s perception and in the rhetoric used to justify anti-immigrant policies. Such negative images of immigrants, particularly immigrants of color, fuel the policing of immigrants and their eradication from society.

The current anti-immigrant sentiment that abounds among the American public is extraordinary. Like the period at the turn of the 20th century when population control measures were enacted in many forms, the current period is very similar; the cry is again to stop the “illegal invasion.” Moreover, with the flow of newly arrived immigrants to the U.S. or to other countries, propelled is the sentiment that they are the cause of our social maladies, including crime. However, research has consistently shown that immigrants engage in less crime than their U.S.-born counterparts, and or their foreign-born counterparts who have been in the U.S. for a longer period. The recent efforts to criminalize undocumented immigrants into aggravated felons through the provisions of IIRIRA and HR4437 are clear attempts to maintain immigrants’ political and economic disenfranchisement, and to keep them in the shadows.

Future research clearly needs to focus on the children and successive generations of immigrants, and to explore further the probability of their engaging in crime unlike their parents (Gans 1992; Knox and McCurrie 1997; MacDonald 2004; Vigil 1988; Waters 1999; Zatz and Portillos 2000). Research is needed to study the veracity of the most recent claims asserting that a high percentage of immigrants are responsible for the most recent “rise in crime in the U.S.,” especially along the México-U.S. border. While there has been a rise in crime in the Juarez and Mexicali-Tijuana geopolitical corridors, the roles of both immigrants and native-born U.S. citizens should be investigated carefully, given the history of the cities that buttress these corridors such as El Paso and San Diego, which have been amongst the safest.

Because Los Angeles is a final destination for numerous immigrants and, because of the groundswell in anti-immigrant public sentiment there, a study on the nexus of immigration, crime, and ethnicity in Los Angeles is greatly needed. A study of this magnitude would advance Martinez’s research on Latino-related homicide, as well as other major crimes in the most populous U.S. cities, and shed light on crime trends in the new destinations that have attracted immigrants over the past two decades.

This paper challenges criminologists and sociolegal-oriented social scientists to begin investigating the injustices carried out at the hands of private prison profiteers with the blessings and funding of the U.S. government by way of implementing policies that fuel and profit this industry, all of which ultimately provide the bodies necessary to fill these detention centers (Leighton and Selman 2009). There is an imminent need for research on the separation and welfare of the many families divided each day by this industry, and of the consequences that they face post-detention. There are clear implications and knowledge from this research that would arm well the many social servants that serve this afflicted group.

Despite the Supreme Court and the past and current Obama administration capacity to call a moratorium on the raids and deportations, the U.S. government’s clear response to the division of these families is to continue incarcerating children with their parents, and expand enforcement-only policies such as Secure Communities. Even after promising to pursue immigration reform during his first campaign, President Obama has pushed the immigration reform debate indefinitely. He also embarked first upon the healthcare debate, which riled up racist overtones against immigrants among its opponents—clearly, a tactical error for President Obama who many immigrants embraced during his campaign. In fact, the Obama administration has consistently flaunted its record on immigration law enforcement.

Preston (2009) stated that “After early pledges by President Obama that he would moderate the Bush administration’s tough policy on immigration enforcement, his administration is pursuing an aggressive strategy for an illegal-immigration crackdown that relies significantly on programs started by his predecessor” (2009 A4:1). Obama has delineated his plan to pursue an enforcement-only strategy, which counterpoises his consistent promises to Latino audiences and Immigrant Rights Movement organizers that he would use his executive power to cease the raids and deportations, but interestingly has yet to mention, and or denounce, the detention industry.

Kateel posited that what followed the pinnacle of the civil rights movement was a rise in the incarceration of blacks, a potential threat to the future white political establishment. He also pointed out that President Nixon’s strategy to curb crime as “articulated behind closed doors, was to direct the criminal justice system primarily at the

black community without publicly saying so, [which] became public knowledge after one of Nixon's closest aides' personal experiences with the prison system exposed him to its evils (2008: 2).

Indeed, the so-called "war on drugs" has undoubtedly fed the private detention industry by hypercriminalizing people of color. There is no doubt that the low intensity "urban war" on blacks has run concomitant to the rise of the Prison Industrial Complex, and now the low intensity "border war" on Latino immigrants and the rise of the Immigration Industrial Complex. More specifically, Latino immigrants represent a future electoral threat against the white hegemonic order; therefore, it is beneficial to eradicate them from society vis-à-vis the IIC, much like in the post-civil rights era, when young black males were eradicated from society by the urban "war on drugs" and the rise of the PIC.

Ironically, in classic "blaming the victim" fashion, President Obama's Father's Day speech during his campaign blamed black males for not living up to their duty of fatherhood (Maxwell 2009). The PIC, racial profiling, along with many other structural obstacles have served to divide their families, making their absence from society seem as a social ill that only they can heal, essentially blames them as victims of their own devices. As such, the "criminal" stereotype also has served to set this process in motion for people of color. Imparting the pejorative "illegal" stigmatization to immigrants—that typically do not understand whichever part of "illegal" you offer him or her because they engage in less crime than do their U.S.-born counterparts, by the way—has also served to support and fuel the creation and expansion of these profiteering private industries.

The parallels between the Prison Industrial Complex and the Immigration Industrial Complex are cacophonously analogous; clearly both are serving to eradicate a targeted population that have supplied historically the labor pool, yet are criminalized and, therefore, compromised for profit, while concomitantly maintaining the white hegemonic order. By itself, the most obvious threat for the white establishment is the *Browning of America*, a demographic shift that is poised to brush in a radical racial composition of the country in coming years like the social and political disenfranchisement of previous immigrant groups, and even blacks. We are in the midst of an epitomic *ethnodistillation* targeting 12 million mostly Latino immigrants, a phenomenon unseen since the annihilation of dozens of millions of the Americas' indigenous at the hand of the Spanish Conquistadores in Mexican territory, and "white savages" invading Native American soil, under the auspices of God, law, and order.

In sum, this paper has shown that the relationship between immigration and crime needs to be examined even more critically. Future investigation in this area is necessary in order to lay bare the racist stereotyping of

immigrants as criminals, an agenda that has served to restrict, expel, and now, institutionally eradicate them by growing the Immigration Industrial Complex that is poised to ensure the further subjugation of millions of immigrants already lurking in the shadows of our society.

Acknowledgement

I thank Karen S. Glover, Luisa Heredia, Ellen Reese, Rogelio Saenz, and Jake Wilson for their critical but supportive feedback on early drafts of this article, and the external reviewers for their comments.

Endnote

¹ This work is in memoriam of the countless families that have been affected greatly by unwarranted anti-immigrant policies emerging from successive presidential administrations and congresses.

References

- Abbott, Grace. 1915. "Immigration and Crime, Report of Committee 'G' of the Institute." *Journal of the American Institute of Criminal Law and Criminology* 6(4):522-532.
- Akers Chacón, Justin and Mike Davis. 2006. *No One is Illegal: Fighting Racism and State Violence on the U.S.-México Border*. Chicago: Haymarket Books.
- Associated Press. 2008. "Feds: 300 Suspected Illegals Held After S.C. Raid: Authorities Reviewing Paperwork for Hundreds of Suspected Illegal Workers." *ABC News*. Retrieved October 7, 2008. (http://www.chron.com/disp/story.mpl/nation/604438_3.html)
- Associated Press. 2007. "Study: Kids of Immigration Raid Arrestees Face Mental Problems." *Hispanic Current News*. November 5th.
- Bhabha, Jacqueline and Susan Schmidt. 2008. "Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the U.S." *The Journal of the History of Childhood and Youth* 1(1):126-138.
- Bowler, Alida. 1931. "Wickersham Commission." *National Commission on Law Observance and Enforcement: Crime and the Foreign Born*. Washington, D.C.: U.S. Government Printing Office.

- Butcher, Kristin, F., and Anne Morrison Piehl. 1998a. "Recent Immigrants: Unexpected Implications for Crime and Incarceration." *Industrial and Labor Relations Review* 51:654-679.
- Butcher, Kristin, F., Anne Morrison Piehl. 1998b. "Cross-City Evidence on the Relationship between Immigration and Crime." *Journal of Policy Analysis and Management* 17:457-493.
- Butcher, Kristin F., and Anne Morrison Piehl. 2000. "The Role of Deportation in the Incarceration of Immigrants." Pp. 351-386 in *Issues in the Economics of Immigration*, edited by George J. Borjas. Chicago: The University of Chicago Press. Retrieved July 28, 2011 (<http://www.nber.org/chapters/c6060.pdf>).
- Castañeda, Rosa Maria. 2007. *Paying the Price: The Impact of Immigration Raids on America's Children*. Washington, D.C.: The Urban Institute.
- Center for New Community. 2005. *Shell Games: The "Minuteme" and Vigilante Anti-Immigrant Politics*. Chicago: Center for New Community, Building Democracy Initiative. Retrieved July 28, 2011 (<http://www.buildingdemocracy.org/shellgames.pdf>).
- Cordasco, F. 1973. "The Children of Immigration in the Schools: Historical Analogues of Education Deprivation." *The Journal of Negro Education* 42(1): 44-53.
- Chavez, Leo. 2001. *Covering Immigration: Popular Images and the Politics of the Nation*. Berkeley: University of California Press.
- Chavez, Leo. 1998. *Shadowed Lives: Undocumented Immigrants in American Society 2nd Edition*. Fort Worth, TX: Harcourt Brace College Publishers.
- Colburn, D., and G. Pozzetta. 1974. "Crime and Ethnic Minorities in America: A Bibliographic Essay." *The History Teacher* 7(4):597-609.
- Díaz, Jr., Jesse. 2010. "Organizing the Brown Tide: La Gran Epoca Primavera 2006 En Los Angeles, An Insider's Story." California: University of California, Riverside, Department of Sociology.
- Douglas, Karen Manges and Rogelio Saenz. 2009. "The Making of a Criminal: Immigrants and the Prison Industrial Complex." *Presentation at the University of Nebraska, Omaha*. Retrieved July 28, 2011 (http://www.slidefinder.net/s/saenz_20power_20point/29445208).
- Federal Bureau of Investigation. 2010. *Hate Crime Statistics*. Washington DC: U.S. Department of Justice. Retrieved June 17, 2011 (http://www2.fbi.gov/ucr/hc2009/data/table_01.html).
- Fernandes, Deepa. 2007. *Targeted: Homeland Security and the Business of Immigration*. New York: Seven Stories Press.
- Fernandez, Raul. 1977. *The United States-México Border: A Politico-Economic Profile*. Notre Dame, IN: University of Notre Dame Press.
- Fix, M. and J. Passel. 2002. *The Scope and Impact of Welfare Reforms Immigrant Provisions*. Discussion Papers. Washington, D.C.: The Urban Institute.
- Florida, Adrian. 2009. "Border Authority." *Voice of San Diego*. Retrieved June 5, 2009. (<http://www.voiceofsandiego.org/articles/2009/06/05/people/913cornelius060509.txt>).
- Gans, J., Herbert. 1992. "Second Generation Decline: Scenarios for the Economic and Ethnic Features of the Post-1965 American Immigrants." *Ethnic and Racial Studies* 15:173-192.
- Garay, Anabelle. 2007. "ACLU Suing On Behalf of Detained Immigrant Children." *The Associated Press, Lexisnexis* March 6.
- Garcia, Oskar. 2007. "Study: Raids Risk Kids' Mental Health." Associated Press. October 31st. Retrieved January 2008. (http://www.ydr.inyork.com/newsfull/ci_7330995).
- Garcia, Mario T. 1994. *Memories of Chicano History: The Life and Narrative of Bert Corona*. Los Angeles, CA. University of California Press.
- Golash-Boza, Tanya. 2009. "A Confluence of Interests in Immigration Enforcement: How Politicians, the Media, and Corporations Profit from Immigration Policies Destined to Fail." *Sociology Compass* 3:1-15.
- González, Daniel. 2005. "Visa 'Overstays' often Blend in." *The Arizona Republic*. December 24th.
- Green, Donald, P., Laurence H. McFalls and Jennifer K. Smith. 2001. "Hate Crime: An Emergent Research Agenda." *Annual Review of Sociology* 27:479-504.
- Green, Donald, P. Dara Z. Strolovitch, and Janelle S. Wong. 1998. "Defended Neighborhoods, Integration,

- and Racially Motivated Crime.” *The American Journal of Sociology* 104(2):372-403.
- Hagan, John and Alberto Palloni. 1999. “Sociological Criminology and the Mythology of Hispanic Immigration and Crime.” *Social Problems* 46:617-632.
- Hallinan, Joseph. 2001. *Going Up the River: Travels in a Prison Nation*. New York: Random House.
- Hanania, Ray. 2003. “Fighting For the Last Victims of September 11.” *The Media Oasis*. Retrieved July 26, 2011 (<http://www.themediaoasis.com/hatevictims.html>).
- Hart, Hastings. 1996. “Immigration and Crime.” *The American Journal of Sociology* 2(3):369-377.
- Homeland Security. 2009. *Removals Involving Illegal Alien Parents of United States Citizen Children*. Washington D.C.: Department of Homeland Security, Office of the Inspector General. Retrieved July 28, 2011 (http://www.dhs.gov/xoig/assets/mgmt/rpts/OIG_09-15_Jan09.pdf).
- Horowitz, Carl F. 2001. *An Examination of U.S. Immigration Policy and Serious Crime*. Washington DC: Center for Immigration Studies. Retrieved July 28, 2011 (<http://www.cis.org/articles/2001/crime/crime.pdf>).
- Hourwich, I. 1912. “Immigration and Crime.” *The American Journal of Sociology* 17(4):478-490.
- Jackson Lee, Sheila. 2001. Testimony, *Review of Department of Justice Immigration Detention Policies*. Subcommittee on the Judiciary House of Representatives, 107th Congress, 1st Session. December 19th. Washington, DC: Government Printing Office. Retrieved July 28, 2011 (<http://judiciary.house.gov/legacy/76810.PDF>).
- Kelsey, Carl. 1926. “Immigration and Crime.” *Annals of the American Academy of Political and Social Science* 125:165-174.
- Kateel, Subhash. 2008. “Winning the Fight of Our Lives: Immigrant Rights and Prison-Industrial Complex.” October 1st. Retrieved July 26, 2011 (<http://www.leftturn.org/winning-fight-our-lives-immigrant-rights-and-prison-industrial-complex>).
- Kenney, Dennis J., and James O. Finckenauer. 1995. *Organized Crime in America*. Belmont, CA: Wadsworth Publishing Company.
- Kil, Sang Hea, and Cecilia Menjivar. 2006. “The War On the Border: Criminalizing Immigrants and Militarizing in US-México Border.” Pp. 164-188 in *Immigration and Crime: Race, Ethnicity and Violence*, edited by Ramiro Martinez, Jr. and Abel Valenzuela, Jr. New York: New York University Press.
- Kleinknecht, William. 1996. *The New Ethnic Mobs: The Changing Face of Organized Crime in America*, New York: The Free Press.
- Kanstrom, Daniel. 2000. “Deportation, Social Control and Punishment: Some Thoughts about Why Hard Choices Make Bad Cases.” *Harvard Law Review* 13(8):1890-1935.
- Kossoudij, S. 1992. “Playing Cat and Mouse at the U.S.-Mexican Border.” *Demography* 29(2):159-180.
- Knox, George and Thomas F. McCurrie. 1997. “Asian Gangs: Recent Research Findings.” *Journal of Contemporary Criminal Justice* 14:301-308.
- Kowalski, Dan. 2007. “False Start: Obama On Immigration Reform.” *The Huffington Post*. September 26th, 2007. Retrieved June 10th, 2010. www.huffingtonpost.com/.../false-start-obama-on-immi_b_65905.html
- Lee, Matthew, Ramiro Martinez, Jr. and Richard Rosenfeld. 2001. “Does Immigration Increase Homicide? Negative Evidence from Three Border Cities.” *Sociological Quarterly* 42:559-580.
- Lee, Matthew. 2003. *Crime on the Border: Immigration and Homicide in Urban Communities*. New York: LFB Scholarly Publishing.
- Leighton, Paul and Donna Selman. 2009. *Punishment for Sale: Private Prisons, Big Business and the Incarceration Binge*. New York: Rowman and Littlefield.
- Lovato, Roberto. 2009. “Latinos to CNN: Dump Lou Dobbs Now.” *Huffington Post*. Retrieved July 26, 2011 (http://www.huffingtonpost.com/roberto-lovato/latinos-to-cnn-dump-dobbs_b_287078.html).
- Lydersen, Kari. 2007. “Families Behind Bars: Jailing Children of Immigrants.” *In These Times*. Retrieved July 26, 2011 (www.alternet.org/story/48308).

- Lyman, Michael D. and Gary W. Potter. 2004. *Organized Crime*. Upper Saddle River, NJ: Pearson Prentice Hall.
- MacDonald, Heather. 2004. "The Immigrant Gang Plague." *City Journal*, Summer: 40-43. Retrieved July 29, 2011 (http://www.city-journal.org/html/14_3_immigrant_gang.html).
- Martinez, Jr. Ramiro. 1996. "Latinos and Lethal Violence: the Impact of Poverty and Inequality." *Social Problems* 43(7):131-146.
- Martinez, Jr. Ramiro. 1997. "Homicides among Miami's Ethnic Groups: Anglos, Blacks, and Latinos in the 1990s." *Homicide Studies* 1(1):17-34.
- Martinez, Jr. Ramiro. 2000. "Immigration and Urban Violence: The Link between Immigrant Latinos and Types of Homicide." *Social Science Quarterly* 81: 363-374.
- Martinez, Jr. Ramiro. 2002a. *Latino Homicide: Immigration, Violence, and Community*. New York: Routledge.
- Martinez, Jr. Ramiro. 2002b. "Moving Beyond Black and White Violence: African American, Haitian, and Latino Homicides in Miami." Pp. 22-43 in *Violent Crime: Assessing Race and Ethnic Differences*, edited by Darnell F., Hawkins. Cambridge: Cambridge University Press.
- Martinez, Jr. Ramiro. 2006. *Immigration and Crime: Race, Ethnicity, and Violence*. New York: New York University Press.
- Martinez, Jr., Ramiro, and Matthew Lee. 2000. "On Immigration and Crime." *Criminal Justice* 1:485-524.
- Martinez, Jr., Ramiro, and Lee Matthew. 1998. "Immigration and the Ethnic Distribution of Homicide." *Homicide Studies* 2:291-304.
- Massey, Douglas S. 1995. "The New Immigration and Ethnicity in the United States." *Population and Development Review* 21(3):631-652.
- Massey, Douglas S., Jorge Durand and Nolan J. Malone. 2002. *Beyond Smoke and Mirrors*. New York: Russell Sage Foundation.
- Maxwell, Bill. 2009. "Obama's Father's Day Talk Worth Repeating." *St. Petersburg Times*. Wednesday, June 24th.
- Mckee, James. 1993. *Sociology and the Race Problem*. Champaign, IL: University of Illinois Press.
- McWilliams, Carey. 1948. *North from México: The Spanish-Speaking People of the United States*. New York: Praeger Publishers.
- Menjívar, Cecilia and Cynthia Bejarano. 2004. "Latino Immigrants' Perceptions of Crime and of Police Authorities: A Case Study from the Phoenix Metropolitan Area." *Ethnic and Racial Studies* 27(1):120-148.
- Merton, Robert. 1938. "Social Structure and Anomie." *American Sociological Review* 3(10):672-682.
- Mears, Daniel. 2001. "The Immigration-Crime Nexus: Toward an Analytic Framework for Assessing and Guiding Theory, Research, and Policy." *Sociological Perspectives* 44(1):1-19.
- Mirandé, Alfredo. 2003. "Is there a 'Mexican Exception' to the Fourth Amendment?" *Florida Law Review* 55(1):365-389.
- Mirandé, Alfredo. 1987. *Gringo Justice*. Notre Dame, IN : University of Notre Dame Press.
- Morawetz, Nancy. 2000. "Understanding the Impact of the 1996 Deportation Laws and the Limited Scope of Proposed Reform." *Harvard Law Review* 113(8): 1936-1962.
- Morenoff, Jeffrey and Avraham Astor. 2006. "Immigrant Assimilation and Crime: Generational Differences in Youth Violence in Chicago." Pp. 36-63 in *Immigration and Crime: Race, Ethnicity and Violence*, edited by Ramiro Martinez, Jr. and Abel Valenzuela, Jr. New York: New York University Press.
- Morenoff, Jeffrey and Robert Sampson. 1997. "Violent Crime and the Spatial Dynamics of Neighborhood Transition: Chicago 1970-1990." *Social Forces* 76(1):31-64.
- Ngai, Mae. M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, NJ: Princeton University Press.
- Nielson, Anne and Ramiro Martinez, Jr. 2009. "The Role of Immigration for Violent Deaths." *Homicide Studies* 13(3):274-287.
- Núñez, J., Michael. 1999. "Violence at our Border: Rights and Status of Immigrant Victims of Hate

- Crimes and Violence along the Border between the United States and México.” *Hastings Law Journal* 43(6):1573-1605.
- Ong Hing, B. 2004. *Defining American through Immigration Policy*. Philadelphia: Temple University Press.
- Ordonez, Franco and Ames Alexander. 2008. “U.S. Agents raid Poultry Plant in South Carolina: Hundreds of Migrants Workers Detained.” *México Monitor*. Retrieved October 7, 2008 (<http://mexicomonitor.blogspot.com/2008/10/federal-agents-raid-poultry-plant-in.html>).
- Palafox, Jose. 1996. “Militarizing the Border.” *Covert Action Quarterly* 56:14-19.
- Park, Robert, E., Ernest W. Burgess, and Roderick Mckenzie. 1925. *The City*. Chicago, IL: University of Chicago Press.
- Park, Robert E., and Herbert A. Miller. 1923. *Old World Traits Transplanted*. New York: Harper and Barnes Publishing.
- Passel, Jeffrey S. and Michael Fix. 1994. “Myths about Immigrants.” *Foreign Policy* 95:151-160.
- Paterson, Kent. 2010. “Manufacturing a Border Crisis.” *Foreign Policy in Progress*. Retrieved June 13, 2010. (http://www.fpiif.org/articles/manufacturing_a_border_crisis).
- Pedraza, Sylvia and Ruben Rumbaut. 1996. *Origins and Destinies: Immigration, Race, and Ethnicity in America*. Belmont, CA: Wadsworth Publishing.
- Potok, Mark. 2008. “Anti-Latino Hate Crimes Rise for Fourth Year in a Row.” *Southern Poverty Law Center*. Retrieved July 26, 2011 (<http://www.splcenter.org/blog/2008/10/29/anti-latino-hate-crimes-rise-for-fourth-year/>).
- Potok, Mark. 2011. “The Year in Hate and Extreme, 2010.” *Intelligence Report*, 141. Retrieved July 26, 2011. (<http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2011/spring/the-year-in-hate-extremism-2010>).
- Powell, Michael and Michelle Garcia. 2006. “Pa City Puts Illegal Immigrants on Notice.” *Washington Post* August 22, 2006. <http://www.washingtonpost.com/wp-dyn/content/article/2006/08/21/AR2006082101484.html>.
- Preston, Julia. 2007. “As Pace of Deportation Rises, Illegal Immigrants Dig In.” *The New York Times*. Retrieved July 29, 2011 (<http://www.nytimes.com/2007/05/01/us/01deport.html>).
- Reitzel, Albert. 1946. “The Immigration Laws of the United States.” *Virginia Law Review* 32(6):1099-1162.
- Reese, Ellen and Elvia Ramirez. 2002. “The New Ethnic Politics of Welfare: Political Struggles over Immigrants’ Rights to Welfare in California.” *Journal of Poverty*, 6(3): 29-62.
- Ross, Harold. 1937. “Crime and the Native Born Sons of European Immigrants.” *Journal of Criminal Law and Criminology* 28: 202-209.
- Sacco, Vincent. 1995. “Media Constructions of Crime.” *Reactions to Crime and Violence. Annals of the American Academy of Political and Social Science*, 539:141-154.
- Sampson, Robert J. 2006. “Open Doors Don’t Invite Criminals.” *New York Times*. March 11th.
- Sampson, Robert J. 2008. “Rethinking Crime and Immigration.” *Contexts* 7(1):28-33.
- Sampson, Robert J., and Janet Lauritsen. 1997. “Racial and Ethnic Disparities in Crime and Criminal Justice in the United States.” Pp. 311-374 in *Ethnicity, Crime and Immigration*, 21, edited by Michael Tonry. Chicago, IL: University of Chicago Press.
- Sampson, Robert, J., Jeffrey D. Morenoff, and Stephen W. Raudenbush. 2005. “Social Anatomy of Racial and Ethnic Disparities in Violence.” *American Journal of Public Health* 95:224-232.
- Sampson, Robert, J., Stephen Raudenbush, and Felton Earls. 1997. “Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy.” *Science, New Series* 277(5328):918-924.
- Sampson, J., Robert and William J. Wilson. 1995. “Toward A theory of Race, Crime, and Urban Inequality.” Pp. 37-54 in *Crime and Inequality*, edited by John Hagan, and Ruth D. Peterson. Stanford, CA: Stanford University Press.

- Sanchez, Hector E. 2009. "Enforcement-Only Policies and No Immigration Reform Could Prove Costly." *Huffington Post*. Retrieved July 6, 2011 (http://www.huffingtonpost.com/hector-e-sanchez/enforcement-only-policies_b_164697.html)
- Sandmeyer, Elmer. 1991. *The Anti-Chinese Movement in California*. Champaign, IL: University of Illinois Press.
- Santa Ana, Otto, Sandra L. Trevino, Michael. J. Bailey, Kristen Bodossian and Antonio de Necochea. 2007. "A May to Remember: Adversarial Images of Immigrants in US Newspapers During the 2006 Policy Debate." *Paper Presentation at Latin American Studies Conference, Montreal, Quebec. Du Bois Review: Social Science and Research on Race* (2007), 4: 207-232
- Scharf, Irene and Christine Hess. 1988. "What Process Is Due?: Unaccompanied Minor's Rights To Deportation Hearings." *Duke Law Journal* 1:114-128.
- Sellin, Thorsten. 1938. *Culture Conflict and Crime*. New York: Social Science Research Council.
- Seper, Jerry. 2009. "Rancher Cleared in Rights Case." *Washington Times*. February 18. Retrieved July 29, 2011 (<http://www.washingtontimes.com/news/2009/feb/18/rancher-cleared-in-rights-case/>).
- Singer, Audrey and Greta Gilbertson. 2000. "Naturalization in the Wake of Anti-Immigrant Legislation: Dominicans in New York City." Carnegie Endowment, Working Paper Number 10.
- Shaw, Clifford and Henry McKay. 1942. *Juvenile Delinquency and Urban Areas*. Chicago, IL: University of Chicago Press.
- Southern Poverty Law Center (SPLC). 2009. *Climate of Fear: Latino Immigrants of Suffolk County, N.Y.* Retrieved June 17, 2011 (http://www.splcenter.org/sites/default/files/download/publication/splc_suffolk_report.pdf)
- Southern Poverty Law Center (SPLC). 2010. Retrieved June 17, 2011 (<http://www.splcenter.org/>).
- Southern Poverty Law Center (SPLC). 2011. *Hate Map*. Retrieved June 17, 2011 (<http://www.splcenter.org/get-informed/hate-map>).
- Sterngold, James and Mark Martin. 2005. "Governor Signals He'd Welcome Minutemen on California Border." *San Francisco Chronicle* April 30. Retrieved July 29, 2011 (<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2005/04/30/GOVERNOR.TMP>).
- Stockwell, Alcott. 1927. "Our Oldest National Problem." *The American Journal of Sociology*, 32(5): 742-755.
- Taft, Donald, R. 1933. "Does Immigration Increase Crime?" *Social Forces* 12:69-77.
- Taylor, Paul. 1931. "Crime and the Foreign Born: the Problem of the Mexican." *Report on Crime and Foreign Born. National Commission on Law Observance and Enforcement Report 10*. Washington, D.C.: U.S. Government Printing.
- Taxin, Amy. 2009. "SoCal Border Agents Complain of Quotas." *San Diego Union Tribune. Signonsandiego.Com*. Retrieved February 1, 2009 (<http://www.signonsandiego.com/news/2009/feb/01/ca-border-patrol-quotas-020109/>).
- Thomas, W. I., and Florian Znaniecki, 1920. *The Polish Peasant in Europe and America. Vol IV, Disorganization and Reorganization in Poland*. Boston: Gorham Press.
- Toosi, Hahal. 2007. "3 Honduran Kids Face Deportation, Worry about Abuse Back Home." *The Associated Press, Lexisnexis*. February 26th.
- Vigil, James. D. 1988. *Barrio Gangs: Street Life and Identity in Southern California*. Austin, TX: University of Texas Press.
- Wall, S. 2009. "Coalition Forms To Combat Immigration Raids." *San Bernardino Sun*. Retrieved July 3, 2009 (http://www.sbsun.com/news/ci_12748320).
- Waters, Tony. 1999. *Crime and Immigrant Youth*. Thousand Oaks CA: Sage.
- Washington Post. 2010. "The US Congress' Votes Database." *The Washington Post*. Retrieved August 30, 2010 (www.projects.washingtonpost.com/congress/109/house/2/votes/446/).
- Wilson, William. 1996. *When Work Disappears: The World of the New Urban Poor*. New York: Alfred A. Knopf.
- Wilson, William. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. Chicago, IL: University of Chicago Press.

- Whyte, William. 1943. "Social Organization in the Slums." *American Sociological Review* 8:34-39.
- Wu, Frank H. 2003. *Yellow: Race in American beyond Black and White*. New York: Basic Books.
- Yans-Mclaughlin, Virginia. 1990. *Immigration Reconsidered: History, Sociology, and Politics*. New York: Oxford University Press.
- Yzaguirre, Raul. 1987. "Public Policy, Crime, and the Hispanic Community." *Annals of the Academy of Political and Social Science* 49: 101-104.
- Zatz, Marjorie and Edward Portillos. 2000. "Voices from the Barrio: Chicano/a Gangs, Families, and Community." *Criminology*, 38:369-401.
-

About the author:

Jesse Díaz, Jr. Ph.D. is a visiting scholar in the Labor Studies Program at the University of California, Riverside, who specializes in race and class inequality, and criminology,

Contact information: Dr. Jesse Díaz, Jr. The Labor Studies Program at the University of California, Riverside, 900 University Avenue, Riverside, CA 92521; Phone: (213)725-1714; Email: jessediazjr@gmail.com.